IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.7054 OF 2005
IN
CRI.APPEAL NO. 941 OF 2005

Vishnu Laxman Gavit ..Applicant

Vs.

State of Maharashtra ..Respondent

...

Mr.H.E.Palve Advocate for Applicant
Ms.Rajesh Gajare A.P.P. for the State

...

**CORAM: SMT.V.K.TAHILRAMANI,J.**
**DATE : OCTOBER 26, 2005**

**P.C.**

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail. The applicant has been convicted under Sections 452 and 376 of IPC. The maxmimum sentence imposed on the applicant is R.I. for three years. The learned advocate for the applicant has submitted that the applicant was on bail during the trial and he has not misused the liberty granted to him. This statement is not controverted on behalf of the prosecution.

3. The learned advocate for the applicant has further submitted that sentence imposed on the applicant is only three years and the appeal preferred by the applicant is not likely to be heard and disposed of within the period of three years.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat** reported in **(1999) 4 SCC 421,** has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. The applicant-Vishnu Laxman Gavit to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up that amount. The applicant shall report at Peth Police Station once in a month during the pendency of appeal.

6. Application is disposed of.

[V.K.TAHILRAMANI,J.]